IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.8843 of 2002

Between:

1. Md. Ali, S/o. Md. Haneef, aged about 22 years,

R/o. Marikal Post, Dhanwada Mandal, Mahaboobnagar District.

2. L. Shivakumar, S/o. L. Jagadeesh, aged 20 years,

R/o. Marikal Post, Dhanwada Mandal, Mahaboobnagar District.

3. Sreelatha, D/o. Yadaiah, aged 23 years,

R/o. Dhanwada Village and Mandal, Mahaboobnagar District.

4. Usha Rani, D/o. L. Jagadeesh, aged 22 years,

R/o. Marikal Post, Dhanwada Mandal, Mahaboobnagar District.

5. E. Suresh, S/o. Chinnaiah, aged 22 years,

R/o. Pebbiar Post, Wanaparthy Mandal, Mahaboobnagar District.

6. Jamadagni, S/o. , aged 24 years,

R/o. Pebbiar Post, Wanaparthy Mandal, Mahaboobnagar District.

..... PETITIONERS

AND

1. The State Convenor, DIET CET-2002 and

Regional Joint Director of School Education,

Warangal District.

2. The Principal of DIET, Mahaboobnagar,

Mahaboobnagar District.

3. The Government of (DIET) Education Department,

Rep. by its Secretary, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not receiving the application forms of the petitioners for Common Entrance Test (DIET-CET-2002) for admission into D.Ed. (Diploma in Education) course conducted by the 1st respondent on 22.05.2002 on the ground that the Uttar Madhyama (A Senior Secondary Standard Examination) of Board of Adult Education and Training is not equivalent to Intermediate of A.P. and consequently direct the respondents to receive the applications and allow the petitioners to participate in Common Entrance Test (DIET-CET-2002) as well as admission into D.Ed course.

Counsel for the Petitioner: MR.K.AMARENDER RAJU

Counsel for the Respondent Nos.1 to 3: GP FOR SCHOOL EDUCATION

The Court made the following:

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ORDER:

All the petitioners claim that they passed Uttar Madhyama (A Senior Secondary Standard Examination) conducted by the Board of Adult Education and Training. When the first respondent issued a notification dated 25.3.2002 inviting applications for admission to two year D.Ed course in District Educational and Training (DIET) Centres, the petitioners submitted their applications. However their applications were rejected by the second respondent orally on the ground that Uttar Madhyama course is not equivalent to Intermediate course conducted by the Board of Intermediate. Therefore, they filed the present writ petition seeking a direction to the respondents to receive the applications and allow the petitioners to appear in the Common Entrance Test.

This Court while admitting the writ petition passed interim orders on 30.4.2002 directing the respondents to receive the applications of the petitioners for DIET-CET-2002 scheduled on 22.5.2002 and that their results shall not be declared until further orders.

The petitioners sought for admission in D.Ed course for the academic year 2002-2003. At this point of time, no direction can be granted in favour of the petitioners permitting them to prosecute D.Ed course for the academic year 2002-2003. A Division Bench of this Court in W.A. Nos.1682 and 1784 of 2002 and Batch dated 28.4.2003 has already held that Uttar Madhyam course conducted by the Board of Intermediate Education, New Delhi is not equivalent to Two-year Intermediate course of A.P. Board of Intermediate Education. Therefore, the petitioners cannot be said to be entitled to prosecute D.Ed course.

The writ petition is accordingly dismissed.

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October 27, 2004. **V.V.S. RAO, J**

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To

1. The State Convenor, DIET CET-2002 and

Regional Joint Director of School Education,

Warangal District.

2. The Principal of DIET, Mahaboobnagar,

Mahaboobnagar District.

3. The Government of (DIET) Education Department,

Rep. by its Secretary, Secretariat, Hyderabad.

4. Two CCs to the Government Pleader for Education,

High Court Buildings, Hyderabad (O.U.T).

5. Two C.D. Copies.